

REMARKS

In an Advisory Action dated December 24, 2003, the Examiner indicated that applicant's remarks submitted on December 5, 2003 had been considered and indicated that claims 1 through 26 remain pending and rejected. Applicant has filed a Request for Continued Examination (RCE) and this submission required under 37 CFR § 1.114. In this Submission, applicant amends the independent claims to present the claimed subject matter in a slightly different form to highlight the differences between the prior art and the claimed invention.

More particularly, the present claims more specifically define the comparison of an unperished instance of a first perishable commodity (e.g., a particular flight leg or particular itinerary for future travel) with past reservation information for perishable commodities that have already perished, including for perishable commodities other than the first perishable commodity (e.g., data for perished airline flights, regardless of their flight number or itinerary). In other words, rather than simply comparing group purchases for Flight 25 out of Philadelphia that have occurred in the past with reservations that have been made for a Flight 25 out of Philadelphia that is going to leave in one week's time, using the present invention, data respecting all flights for which data has been kept, including flights other than Flight 25, is included in the analysis and, where appropriate, compared with the reservations for the future Flight 25.

For ease of examination, following are, restated, the characterizations of the present invention and the prior art as previously submitted.

The Present Invention

The present invention provides a system and method for predicting the likelihood of materialization of pending reservations for the purchase of perishable commodities, reserved as part of a group booking, which system and method provides for the gathering and analysis of *reservation information* pertaining to perishable commodities for which group reservations for purchase have been made in the past, gathering and analysis of *reservation information* pertaining to perishable commodities for which group reservations for purchase are currently pending, and determining, based upon the analysis, the likelihood that a particular pending group reservation will actually be purchased or “materialize”.

The term “reservation information” (both past and current) is clearly defined in the specification of the present invention as including commodity details, demographic information, and/or POS information relating to past or current reservations for perishable commodities. All of this *reservation information* is directed to all *reservations* that have been made. Further, they do not focus on a specific flight or other specific commodity; instead, they are related to all available commodities.

By gathering and analyzing data relating to the reservations on a global basis in this manner, characteristics of purchasers, commodities, and types of purchases can be analyzed and identified and utilized to characterize reservations generally and the people who made them, rather than specifically characterize one particular commodity (e.g., a particular flight).

U.S. Patent No. 4,775,936 to Jung

U.S. Patent No. 4,775,936 to Jung ("Jung") teaches a system which tracks the frequency with which a particular flight experiences overbooking or underbooking, and based on this statistical analysis, increases the point at which that particular flight is considered "closed" to a number greater than 100% of capacity of the aircraft, with the exact percentage greater than 100% being based upon the historical data for that flight.

U.S. Patent No. 5,648,900 to Bowen et al.

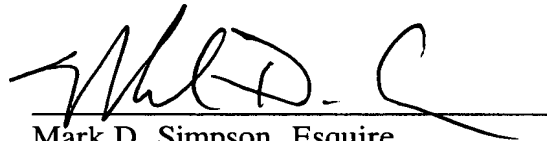
U.S. Patent No. 5,648,900 to Bowen et al. ("Bowen") teaches a computerized reservation system including controlling and monitoring of group travel-related services. Using the system of Bowen, an administrator managing a group reservation can make a single change to any one of the master inventory, group control records, group passenger name records, and appropriate changes are automatically made for all within the group. The Examiner relies on Bowen for an alleged teaching of controlling and monitoring of group travel-related services including storing in a storage unit information related to an historical and current group control record comprising information such as the name and ID of the owner and organizer of the group travel, the group name, the wholesaler's address, the phone number of the owner, the inventory items obtained from a master inventory, the date contained on the inventory item on which unused inventory must be returned to a provider, an airline record locator, departure and arrival cities, the dates of travel.

Conclusion

The present invention is not taught or suggested by the prior art. The claims have been amended. Accordingly, the Examiner is respectfully requested to reconsider the prior rejection of the claims. An early Notice of Allowance is earnestly solicited. The Examiner is hereby authorized to charge any additional fees associated with this Communication to Deposit Account No. 50-0629.

Respectfully submitted

2/9/04
Date


Mark D. Simpson, Esquire
Registration No. 32,942

SYNNESTVEDT & LECHNER LLP
2600 ARAMARK Tower
1101 Market Street
Philadelphia, PA 19107

Telephone: (215) 923-4466
Facsimile: (215) 923-2189